

1 DAVID W. DRATMAN
2 Attorney at Law
3 State Bar No. 78764
4 601 University Avenue, Suite 145
5 Sacramento, California 95825-6738
6 Telephone: (916) 443-2000
7 Facsimile: (916) 443-0989
8 Email: dwdratman@aol.com

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10 Attorney for Defendant
11 RYAN WELCH

12
13 IN THE UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,

16 Plaintiff,

v.

17 RYAN WELCH,

18 Defendant.

2:23-CR-0123 JDP

STIPULATION AND [PROPOSED] ORDER
TO CONTINUE HEARING

DATE: November 6, 2023

TIME: 10:00 a.m.

JUDGE: Hon. Jeremy D. Peterson

IT IS HEREBY STIPULATED BETWEEN the parties by and through their counsel of record, as follows:

1. By previous order, this matter was scheduled for a change of plea hearing on November 6, 2023 at 10:00 a.m.
2. By this stipulation, defense counsel moves to vacate this date and to set a status hearing on December 18, 2023 at 2:00 p.m. pending a dismissal based on proof that Mr. Welch is deceased.
3. Counsel for the defendant believes that failure to grant the above requested continuance would not be in the interests of justice.
4. The government does not object to and joins in the request for a continuance.
5. Based on the above, the ends of justice served by continuing the case as requested

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outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

6. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period from November 6, 2023, to December 18, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at the defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

7. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED:

DATED: NOVEMBER 2, 2023

/s/ David W. Dratman
DAVID W. DRATMAN
Attorney for Defendant
RYAN WELCH

DATED: NOVEMBER 2, 2023

PHILLIP A. TALBERT
United States Attorney

By: /s/ Heiko P. Coppola*
HEIKO P. COPPOLA
Assistant U.S. Attorney
*Signed with permission

ORDER

IT IS SO ORDERED.

Dated: November 3, 2023

Jeremy D. Peterson
JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE

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